Our law schools at present are dominated by the professional idea, which is judicial and not legislative in its viewpoint. This means that effective work in constructive jurisprudence can only be done by the addition of special law-school courses. The difficulties of such instruction are tremendous,

but unless they can be overcome the scientific treatment of jurisprudence must remain one-sided and defective, and some of the most important and interesting problems of legislation will continue to be dealt with in slipshod and haphazard ways, because it is no one's business to give them systematic consideration [p. 314].

A brief survey of the possible material available for such a course is given.

This volume doubtless marks a new era in the science of legislation and establishes a new standard of exacting and constructive scholarship. The whole field of law and administration, domestic and foreign, has been explored and varied experiences have been generalized with rare logic and accuracy. It is a genuine contribution to legal and political science and should refute those who have too frequently denied that a science of legislation is possible. The value of the science is well set forth in the author's concluding words:

The legal science of legislation means the knowledge of how to translate a given policy into the terms of a statute. Even if it cannot be carried to the plane of an exact science, it may render possible the delegation to competent hands of the task of statute-making under brief instructions in the confidence that it will be faithfully and impartially performed. The determination of policies might thus be made a purely political function, unincumbered by the confusing bywork of technical detail, and the efficient control of legislation by representative and popular bodies would thus in substance be strengthened and not diminished. The development of this rich and practically unworked field may therefore be urged from the point of view of government as well as from that of jurisprudence [p. 320].

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Community: A Sociological Study. Being an Attempt to Set Out the Nature and Fundamental Laws of Social Life. By R. M. MACIVER, PH.D. London: Macmillan, 1917. Pp. xv+437.

Many attempts have been made to "set out the nature and fundamental laws of social life." In the volume, *Die Philosophie der Geschichte als Sociologie*, first published in 1897, Dr. Paul Barth, with characteristic

German thoroughness, made a painstaking analysis and classification of the more important of them.

In his review Barth discusses at length not less than seventeen writers, including Benjamin Kidd, who have attempted to define progress and describe historical changes in sociological formulas. None of them have been so eminently successful as to discourage later writers who are disposed to renew the attempt. On the other hand, none of them have failed so completely as to justify the statement made in the preface of this volume that "community resembles a country recently discovered—or rediscovered and overrun by explorers." Of this whole country there is "still scarcely any clear comprehensive chart" in spite of the "stores of information supplied by so many diligent explorers." On the contrary, almost every important sociologist from Comte to Simon Patten has given us a "comprehensive chart of the whole country." What sociology has lacked has been just those "diligent explorers" who were willing and able to fill out the large empty spaces in the existing "comprehensive charts."

The substance of this volume is a philosophy of history which seeks to formulate "the primary laws of the development of community." This philosophy is based on a distinction between civilization and culture. By civilization the author means technique, "the whole system of communal mechanism." By culture he understands what Münsterburg called the "eternal values," that is to say, "those interests which are or should be sought for their own sake alone." Progress is measured in values. "The fundamental laws of social development" reduce to a few simple and general formulas the changes by which values are accumulated and made part of the permanent possession of society. The "first and greatest" of the fundamental laws of communal development runs as follows: "Socialization and individualization are two sides of a single process." This law is "the key to the whole process of cummunal development." It affords us a yardstick by which we may measure progress. Progress is measured by the importance which individual persons attach to personality both in themselves and in their fellow-men.

Whatever may be said of the solution which it offers, there is certainly nothing novel in the problem of Mr. Maciver's book. For this reason it strikes one as a serious omission that almost no reference is made to the contributions of earlier writers to the same theme. To be sure the author does refer in a footnote to "J. S. Mill, Bain, Leslie Stephen, T. H. Green, Herbert Spencer, Professor Alexander, and Professor Hobhouse" as writers who have "felt the significance" of the "first and

greatest" of the laws of community development, "perhaps," as the author remarks, "from its very obviousness." The point is, however, that nowhere is there an attempt to come to terms with these writers. On the other hand, the author shows no particular familiarity with the sociological tradition. For that reason the terms used in this book are more or less improvised, consequently lacking in precision, and the whole volume is vague, thin, plausible, and innocuous.

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Philosophy and the Social Problem. By WILL DURANT. New York: Macmillan, 1917. Pp. 272. $1.50.

This very readable and interesting book contains two perfectly distinct ideas, either one of which might be accepted by a man who violently disagreed with the other. One is an intensely instrumental conception of philosophy; the other is a proposal for an attack upon the problems of human misery and degradation by a "Society for Social Research."

Dr. Durant's exposition of the function of philosophy reveals a superpragmatic bias. The "Absolute" is anathema to him; epistemology is self-befoggery. Scorn of the "Historismus" of academic philosophy provokes his most brilliant epigrams. "Just as philosophy without statesmanship is—let us say—epistemology, so statesmanship without philosophy is—American politics," he says. "The function of the philosopher is to do the listening to today's science, and then to do the thinking for tomorrow's statesmanship" (p. 225).

The way is paved to this conception of philosophy, which is propounded in the latter part of the book, by a preparatory study of what philosophy meant to five of its choicest spirits. These sketches, connected by very brief summaries of the history of intervening thought, serve to provide "a wholesome measure of orientation" to the author's notion of philosophy by showing "that the social problem has been the basic concern of many of the greatest philosophers."

Dr. Durant's proposal for the establishment of a "Society for Social Research" is sublime in its simplicity. It shall be founded by the organization of men of "recognized intelligence." Are there any such men? Mr. Durant says there are. "Now what does our society do? It seeks information. That, and not a program, is the fruitful beginning of reform" (p. 232). It then spreads "through the press the simple reports of its investigations, simple accounts of socially significant work